



March 16, 2007

ENGROSSED SENATE BILL No. 331

DIGEST OF SB 331 (Updated March 15, 2007 9:27 am - DI 103)

Citations Affected: IC 6-6.

Synopsis: Funding for emergency dispatch centers. Provides that, for a county other than Allen County, a county's share of hazardous waste disposal tax revenue deposited in a county fund may be used to pay costs associated with the construction, structural rehabilitation, and equipment of a facility used for a county public safety central dispatch or a county emergency operations center. Prohibits the county from using for those purposes in a calendar year an amount that exceeds ten percent of the fund balance as of January 1 of the year.

Effective: July 1, 2007.

Lawson C, Bray

(HOUSE SPONSORS — GRUBB, THOMAS)

January 11, 2007, read first time and referred to Committee on Energy and Environmental Affairs.

February 6, 2007, amended, reported favorably — Do Pass.

February 12, 2007, read second time, ordered engrossed.

February 13, 2007, engrossed. Read third time, passed. Yeas 45, nays 1.

HOUSE ACTION

February 27, 2007, read first time and referred to Committee on Veterans Affairs and Public Safety.

March 15, 2007, amended, reported — Do Pass.

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ES 331—LS 6903/DI 113+



March 16, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 331

A BILL FOR AN ACT to amend the Indiana Code concerning
taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-6-6.6-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) Seventy-five
3 percent (75%) of the revenue produced by the levy imposed under
4 section 2 of this chapter shall be deposited in the hazardous substances
5 response trust fund established by IC 13-25-4-1 and twenty-five
6 percent (25%) of the revenue shall be paid over to the county in which
7 the disposal facility is located.

8 (b) Except as provided in subsection (e), **and subject to subsection**
9 **(f)**, the revenue paid over to the county under subsection (a) shall be
10 deposited in a separate fund established by the county for the purposes
11 of the following:

- 12 (1) Establishing monitoring wells on land near the site of the
13 disposal facility.
14 (2) Analyzing samples from the monitoring wells established
15 under subdivision (1).
16 (3) Conducting other types of testing and surveillance for
17 hazardous waste contamination of land near the disposal facility.

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(4) Providing training for county and local public health and public safety officers in the proper procedures for dealing with emergencies involving hazardous substances or hazardous waste.

(5) Providing special clothing and equipment needed by county and local public health and public safety officers for dealing with emergencies involving hazardous substances or hazardous waste.

(6) Funding research on alternatives to land disposal as a means of eliminating hazardous waste.

(7) Paying the cost of hazardous waste, hazardous substance, or solid waste removal and remedial action at a site located within the county.

(8) Meeting the county's requirements under IC 13-21 for the planning and implementation of a solid waste management district plan.

(9) Paying the costs associated with the construction or rehabilitation of a facility used for training described in subdivision (4).

(10) Paying the costs associated with any other project that has identifiable environmental benefits.

(11) Paying the costs associated with the construction, structural rehabilitation, and equipment of a facility used for either of the following purposes:

(A) A county public safety central dispatch.

(B) A county emergency operations center.

(c) The county fund established under subsection (b) shall be administered by the county treasurer, and the expenses of administering the fund shall be paid from money in the fund. Money in the fund not currently needed to meet the obligations of the fund may be invested in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund at the end of a particular fiscal year does not revert to the county general fund.

(d) No money in the county fund established under subsection (b) shall be used for activities authorized in subsection (b)(8) or (b)(9) until the purposes listed in subsection (b)(1) through (b)(7) have been fulfilled.

(e) ~~Subsections~~ **Subsection (b)(9), and (b)(10), of this section and (b)(11)** do not apply to a county having a population of more than 300,000 but less than 400,000.

(f) The county may not pay from the county fund established under subsection (b) in a calendar year for the purposes set forth in subsection (b)(11) an amount that exceeds ten percent (10%) of

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1 the balance in the fund as of January 1 of that calendar year.

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SENATE MOTION

Madam President: I move that Senator Bray be added as second author of Senate Bill 331.

LAWSON C

 COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Senate Bill No. 331, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 8, after "(e)," insert "**and subject to subsection (f),**".

Page 2, line 20, before "rehabilitation" insert "**structural**".

Page 2, line 20, delete "any" and insert "**either**".

Page 2, delete lines 24 through 25.

Page 2, after line 40, begin a new paragraph and insert:

"(f) The county may not pay from the county fund established under subsection (b) in a calendar year for the purposes set forth in subsection (b)(11) an amount that exceeds ten percent (10%) of the balance in the fund as of January 1 of that calendar year."

and when so amended that said bill do pass.

(Reference is to SB 331 as introduced.)

GARD, Chairperson

Committee Vote: Yeas 7, Nays 0.

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 331, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 37, after "(b)(9)" insert ",".

Page 2, line 37, strike "and".

Page 2, line 37, after "(b)(10)" insert ",".

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Page 2, line 37, after "section" insert "**and (b)(11)**".
and when so amended that said bill do pass.

(Reference is to SB 331 as printed February 7, 2007.)

TINCHER, Chair

Committee Vote: yeas 10, nays 0.

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